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July 3, 2024

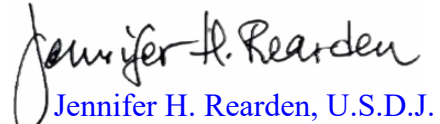
Application GRANTED.

The Clerk of Court is directed to terminate  
ECF No. 76.

**VIA ECF**

Honorable Jennifer H. Rearden  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1010  
New York, New York 10007

SO ORDERED.



Jennifer H. Rearden, U.S.D.J.  
Date: July 3, 2024

**Re: *Government Employees Insurance Company, et al. v. Sukdeb Datta, M.D., et al.***  
**Case No.: 1:22-cv-10531-JHR**

Dear Judge Rearden:

As the Court is aware, we represent the interests of Defendants Sukdeb Datta, M.D., Datta Endoscopic Surgery & Pain Center, L.L.C., Garden State Neuro Stimulation, L.L.C., Saddle Brook Anesthesia Associates, L.L.C., and Surgistar Holdings, L.L.C. d/b/a Saddle Brook Endoscopic & Orthopedic Surgery Center (collectively, the “Datta Defendants”). Counsel for Plaintiffs Government Employees Insurance Company, *et al* (collectively, “GEICO”), Co-Defendants Gabriel Dassa, D.O. and Dassa Orthopedic Medical Services, P.C. (collectively, the “Dassa Defendants”), Darrin Kaloz, D.C. and Adjust for Life Chiropractic, P.C. (collectively, the “Kaloz Defendants”) (collectively, the “Parties”), jointly—with the consent of all parties—respectfully submit this letter-motion requesting a combination of the Fact and Expert Discovery deadline dates.

We appreciate your honor’s consideration of our June 18, 2024 request, and the resulting extension of time provided. Although settlement negotiations continue, it is not clear at this moment whether a settlement will be reached between GEICO and the Datta Defendants. Nonetheless, we continue to move forward with document productions and attempting to schedule mutually convenient depositions while navigating pre-existing vacation schedules during the weeks of July 8 and July 15, and September 11 and September 16. Accordingly, while we are not asking for any additional extensions of time for the pendency of the case as a whole, we are jointly requesting a combination of the Fact and Expert Discovery deadlines, permitting all discovery to be completed by September 24, 2024. This will allow all parties to proceed with and complete party, and non-party depositions, with the ability to serve and respond to post-deposition demands within the combined Discovery period.

The combination of the Fact and Expert Discovery deadlines will not affect the Court’s ultimate schedule, but it will permit the parties to complete Fact Discovery contemporaneously with Expert discovery. Further, we will provide the Court with updates of progress in our joint

status reports to be filed on July 29, 2024, August 26, 2024, and September 30, 2024, as previously ordered.

Plaintiffs, as shown by their consent to the filing of the within letter motion, do not object to the combination of the two Discovery deadlines for the reasons outlined above.

We thank the Court for its continuing attention to this matter, and for its consideration of this request.

Respectfully submitted,

**MANDELBAUM BARRETT PC**

A handwritten signature in black ink, appearing to read "Michael S. Kivowitz", with a long horizontal flourish extending to the right.

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Michael S. Kivowitz

cc: All Counsel of Record (*via* ECF)